

**February 18, 2005**

**Town of Lincoln – Planning Board  
100 Old River Road  
Lincoln, RI 02865**

**Dear Honorable Members,**

**On February 15, 2005 at 3:30 pm the Technical Review Committee met to review the agenda items for the February 23, 2005 Planning Board meeting. In attendance were Al Ranaldi, Kim Wiegand, David Lund, Russell Hervieux, Ann Marie Either, and Peggy Weigner. Below are the Committee's recommendations:**

**Major Subdivision Review**

- a. Lipka Subdivision AP 38 Lot 10 Public Hearing – 7:15 PM**  
**- Olida Michaud Plante Living Trust 430 Old River Road Preliminary Plan Discussion /**  
**Approval**

**This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into three lots. The project has**

been elevated to a major subdivision due to the need of a waiver of the 2 ½:1 ratio requirement for each newly proposed lot. According to Section 1, Article B (41) of the Regulations, if a waiver is required for Minor Subdivision it is to be elevated and considered as a major subdivision. This issue was discussed with the applicant. The option of applying for two lots with no waivers as opposed to three lots with waivers was presented but the applicant chose to be considered as a major land subdivision.

On January 14, 2005, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan review must be made by May 14, 2005 or within such further time as may be consented to by the applicant.

The TRC and the Engineering Division have reviewed plans entitled "Master Subdivision Plan for Ruth Lipka, Zoned RL-9, AP 38 Lot 10 located on Old River Road, Lincoln Rhode Island, prepared by Andrews Survey & Engineering, Inc. The plans contain all the information required for Preliminary Plan level as required in the September 2001 Town of Lincoln Land Development & Subdivision Regulations. The TRC has three concerns: On the northern end of Lot 1, the Plan shows a drainage ditch. The applicant applied to and

has received an approval from RIDEM Wetlands. A copy of the RIDEM stamped plans was included in the latest submission. Based on the ongoing Technical Review Committee review and discussions about this proposed project and the above noted concerns, the TRC recommends approval with conditions. The TRC would like to note the requirement of open space fee. The TRC also recommends that final approval be delegated to the administrative officer. Below are the recommended conditions of approval.

1. The issue of the 2 ½ to 1 waiver must be discussed and debated by the Planning Board. The TRC feels that due to the unique characteristics of the land and the make up of the surrounding neighborhood, the waiver would be in order and reasonable.
2. Lot 3 is located at the top crest of the road. Sight distance may be a problem for a future resident. The TRC has received and reviewed the traffic study on sight distance for this lot. The applicant has designed Lot 3 with a proposed driveway as far north as possible. This configuration is acceptable to the TRC and the Traffic Engineer. As a condition of Preliminary Plan approval, the proposed driveway location must be described and restricted in the new deed.
3. The seasonal high groundwater must be assessed by a soil evaluator and witnessed by the Engineering Division at the time that the lots are built on.
4. Each sewer connection must be approved by the Narragansett Bay Commission as a condition of approval.
5. Each proposed driveway must receive a Department of Transportation Physical Alteration Permit as a condition of approval.

**b. Vernon Estates AP 26 Lot 2 Pre-Application Discussion /  
- JCM, LLC Jenckes Hill Road Review of Project**

**This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into two conventional single-family lots. The subject lot contains approximately 2.353 acres of land and is located in zoning district RA-40 (40,000 square feet – Residential Single Family). The proposed home is to be serviced by a public cul-de-sac road and public water and sewer. This project is in front of the Planning Board for a Pre-Application discussion and review. This stage of the review process does not require a prescribed time frame. A road is proposed to service the new lot. The Technical Review Committee and the Engineering Division did not receive any new plans on this project, therefore, no comments are offered.**

**c. Sables Road Subdivision AP 44 Lot 33 Pre-Application Discussion /**

**- E.A. McNulty Angell and Lantern Road Review of Project**

**This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into seventeen conventional single-family lots. This project is in front of the Planning Board for a Pre-Application discussion and review. This stage of the review process does not require a prescribed time frame. The Technical**

**Review Committee and the Engineering Division has reviewed the proposed development according to the Lincoln Land Development and Subdivision Regulations master plan submission standards and requirements and standard engineering practice. The submission includes a set of 10 sheets entitled “Master Plan Submission for Sables Road Subdivision”, Lincoln Rhode Island, AP 44 Lot 33, prepared for Leslie W. Sables by Commonwealth Engineers & Consultants, Inc., dated September 28, 2004. Although the plans are at master plan review level, there are some issues for the preliminary plan submission that are useful to note at this time. In addition, the Town Engineer has been working with the applicant and their engineer to develop a design suitable for the site conditions.**

**Wetlands - The proposed subdivision requires approval from RIDEM Wetlands as a condition of approval. Preliminary plan approval could be given subject to receiving approval from RIDEM Wetlands.**

**Drainage - The Town will need to review a drainage report for the proposed project. There is a significant potential for health and safety issues based on the existing drainage problems and seasonal high groundwater in the area. The design point for detention basin on proposed lot 7 is at the outlet under Whipple Road. The proposed detention basin on lot 5 outlets to a wetland that in turn drains to a culvert under Lantern Road. Calculations need to be made in order to determine that the outlets from the wetland and pond will not cause more frequent problems from water overtopping the road from the**

**additional volume, not just rate, of runoff from the proposed development. Since this area is subject to flooding, this is a potentially significant impact that will need to be addressed. The drainage swale in front of the proposed lots on East Lantern Road was discussed with the developer's lawyer and engineer. It was also discussed with the Town Engineer from Smithfield since those residents would be affected. The Town is seeking assurance that the swale will be kept free of fill and landscaping and maintained by the property owner as a restriction on their deeds. This aspect will need further work for the Town to be certain that it will not create more drainage problems in an already problematic area.**

**Groundwater - The Town Engineer did not witness the excavation and evaluation of any test pits nor received information from a certified soil evaluator for any soil evaluations performed in the locations of both of the proposed detention basins and other locations. The bottom of the detention basins appears to be set above the seasonal high ground water elevation since the bottom is near existing grade. No detention basins will be approved where the lowest elevation is at or below the seasonal high groundwater. A condition of any approval must also include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation.**

**Sanitary Sewers - The design as well as the ownership, maintenance and operation of the proposed pumping station must be arranged**

with the Public Works Department. At present, the engineer for the developer is reviewing information from the Town to determine if it is feasible to eliminate the Rollingwood pump station and replace it with a new pump station that would service the new development as well as Rollingwood Estates. Since the Town is currently responsible for 31 pump stations, this scenario is a very strong preference of the Public Work Department. This would also help to offset the Town's concern regarding the diminished future capacity of the critical Angell Road North and South pump stations. The force main and gravity sewers in the public road and Town dedicated easements are proposed to be owned and maintained by the Town. The detail for the sewers and excavations must conform to current Town standards. Preliminary approval will require approval from Narragansett Bay Commission.

**Public Water Service** - The submitted plans do not have any public water service approvals. The Lincoln Water Commission has not received or reviewed these plans. The developer and his engineer have been apprised of the need to loop the waterline, per the recent ordinance revision.

**Cemetery** - It appears that only filling, not excavating is proposed within 25 feet of the cemetery. The owner of the cemetery should be determined, if possible or easements associated with it. Access to the cemetery must be provided.

**Traffic - The Town must be assured that there would be no safety hazards from traffic to and from the property and placement of driveways as a result of the proposed development. A vegetation clearance easement is shown on the plans to provide adequate sight distance for vehicles turning the corner on Lantern Road at East Lantern Road. The easement will need to describe the property owners and the Town's responsibilities.**

### **Minor Subdivision Review**

**a. Charles Wood Subdivision AP 34 Lot 54 Preliminary Plan Discussion /**

**- Charles H. Wood Old River Rd & School St. Approval**

**This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into three lots. The plan received Certificate of Completeness on January 18, 2005 in which the Planning Board has 65 days (March 25, 2005) to approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant. The TRC and the Engineering Division reviewed the above proposed development according to the Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering practices.**

**The TRC reviewed submitted plans entitled "Preliminary Minor Subdivision Plan for Charles Wood," Lincoln, RI minor Subdivision AP 34 Lot 54, School Street & Old River Road, prepared for Charles**



**Wood by Marsh Surveying Inc., dated December 29, 2004. The application fits all of the Town's regulations and represented good development of the area and is consistent with the Comprehensive Plan. The applicant has submitted all of the required information for preliminary plan submission. Based on this review, the TRC recommends approval with conditions for the proposed Preliminary Plan submission. The TRC would like to note the requirement of open space fee. The TRC also recommends that final approval be delegated to the administrative officer. Below are the conditions of approval.**

**Wetlands - The site contained a manmade pool or pond previously visible from Old River Road. This may be a source of flow to the "ditch" noted in a permit file for an abutting property noted on the plans. The location of the pond appears to be adjacent to the proposed house on parcel 3. At present, there appears to be water coming up through the snow which is pooling and draining off to the east. Any spring or wetlands located in this area would adversely impact construction. Documentation must be submitted from RIDEM that no wetlands will be impacted as a result of any of the proposed improvements.**

**Utilities - The plan shows proposed public water and sanitary sewers connections to existing lines in Old River Road. The Lincoln Water Commission has notified the developer that the system is preliminarily acceptable and that the existing water line is adequate**

for the additional new lots. The sewer supervisor has advised that public sanitary sewers are available to the project. The developer must apply for Narragansett Bay Commission approval.

**Traffic** - The posted speed is 35 mph on Old River Road, though a number of residents in the area have complained about speeding through the intersection. It appears that the sight distance to the south from the first proposed driveway is more than 300 feet. This provides adequate sight distance for speeds up to 40 mph. Since the driveways are proposed on Old River Road, a State highway, the developer must obtain a Physical Alteration Permit from RI Department of Transportation for the proposed project. This must be a condition of any approval.

**Drainage** - The developer must perform soil evaluations in the areas of the proposed houses to establish the depth to seasonal high groundwater. A condition of any approval should also include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation, as located by a certified soil evaluator. The site drains generally from Old River Road easterly. In the Building Office files for AP 34 Lot 30, a “ditch” is shown flowing off from the northeast corner of the lot. In order to prevent any adverse impact to the existing, down-gradient properties, the Engineering Division recommends that the subdivision approval must specify that each lot must have onsite drainage attenuation such as dry wells to capture the roof runoff. It

**appears that drainage from Old River Road flows onto the property at a point just beyond the existing sidewalk, flowing across the property to a well defined swale on the property in back. This runoff must not be directed away from the proposed lots, but channeled to maintain the current general flow direction and rate.**

**Sedimentation and erosion control plan - The developer must submit a full sedimentation and erosion control plan to Engineering for approval.**

**b. Beck Property Subdivision AP 44 Lot 8 Pre-Application Discussion /**

**- Brian and Tracey Beck Lantern and Whipple Rd Review of Project**

**This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into two conventional single-family lots. This project is in front of the Planning Board for a Pre-Application discussion and review. This stage of the review process does not require a prescribed time frame.**

**The Technical Review Committee and the Engineering Division has reviewed the above proposed development according to the Land Development and Subdivision Regulations, Minor Subdivision standards and requirements, and standard engineering practices. The plans reviewed were entitled “Pre-Application Submission”, Lincoln, RI, AP 44 Lot 8, Lantern Road and Whipple Road, prepared**

for Brian and Tracy Beck by DiPrete Engineering Associates, Inc., dated January 2005. The plan set was reviewed and the following was noted.

**Utilities** - The plan shows proposed private water service via individual private wells and individual septic disposal systems. Public sanitary sewers may be available on Lantern Road to the proposed new house in the future through a proposed project which has been submitted for master plan review. A condition of any approval must include approvals from RIDEM for the proposed wells and septic systems. The TRC would also like to see the location of the abutting property owner's ISDS and well to ensure that there is proper distance between the existing and proposed systems.

**Traffic** – East Lantern Road is very narrow and subject to icing in the winter. The location of the proposed driveway is adequate to provide sight distance however.

**Drainage** - The developer must utilize the soil evaluations performed for the ISDS to establish the depth to seasonal high groundwater in order to determine proposed house finished floor elevation. A condition of any approval must also include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation.

**Wetlands** - The proposed subdivision requires an approval from

**RIDEM Wetlands as a condition of approval. Preliminary plan approval could be given subject to receiving approval from RIDEM Wetlands.**

**Sedimentation and erosion control plan - The developer must submit a sedimentation and erosion control plan to Engineering for approval. The sedimentation and erosion control plan submitted to RIDEM Wetlands is acceptable.**

**c. Riverfront Minor Subdivision AP 45 Lot 53 Preliminary Plan Discussion /**

**- DOSCO Inc. Angell Road Approval**

**This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into two lots. The plan received Certificate of Completeness on January 18, 2005 in which the Planning Board has 65 days (March 25, 2005) to approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant. The TRC and the Engineering Division reviewed the above proposed development according to the Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering practices.**

**The TRC reviewed a set of 4 sheets entitled “Preliminary Plan Submission for Riverfront Minor Subdivision”, on Angell Road, AP 45 Lot 53, in Lincoln, Rhode Island, prepared for Dosco Inc. by**

**Commonwealth Engineers & Consultants, Inc., dated August 2004, revised 12/29/04. The Town Engineer witnessed the excavation of test pits on proposed lot 1. The applicant also submitted an unsigned, undated report entitled "Safety Analysis", a letter from Mason & Associates, Inc. a wetlands biologist and Site Evaluation Forms from a certified soil evaluator. Based on this review, the TRC identified several concerns that would have to be addressed before Preliminary Plan approval can be granted. Below are the committee's concerns.**

**Traffic - All proposed land developments and subdivision lots must not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impractical. Since Angell Road steepens and makes a sharp turn at the northern end of the property, limiting sight distance, it is necessary to determine if a driveway placed for the proposed lot 1 can be safely located. Further research is required to determine if the safety standards are met. The submission included a letter report entitled "Safety Analysis". The report discusses the proposed location of a driveway shown to be located on Angell Road and concludes that there is adequate provision for vehicles turning out of the proposed lot onto Angell Road. It is, however, neither signed nor stamped by a Professional Engineer. The report relies upon an assumption of 30 mph, not the standard, field determined 85th percentile speed, which may be greater. The reference from safety standard contained in AASHTO also notes that the figures used are for a roadway grade of**

**3% or less. Angell Road is approximately 5% and more in the area of the proposed driveway.**

**Groundwater - A certified soil evaluator estimated the seasonal high ground water elevations on the western most portion of the property, including the location of the proposed lot 1. The evaluation determined that the seasonal high groundwater is more than 10 feet below grade. Any finished floors or basements must be set above this elevation.**

**Wetlands - The accessible acreage meeting the minimum buildable area has been calculated. These areas are based on the exclusion of wetland areas delineated by Mason & Associates, Inc. The proposed subdivision must obtain a RIDEM Wetlands Preliminary Determination permit as a condition of approval for subdivision.**

**Utilities - A note on the plans states that utilities are available to the property. However, no provision or approvals for connections to public water or sewer were provided on the plans or through a letter from the appropriate officials.**

## **March Zoning Applications**

**Ritu Gorcyca & Daniel Zilka, 89 Industrial Circle, Lincoln, RI – Dimensional Variance for front and side yard setbacks to relocate and**

**operate a prefabricated diner/small restaurant.**

**AP 2, Lot 113 Zoned: MG 05**

**No new plans were submitted to the Zoning Official; therefore, the TRC can not offer a recommendation on this proposal.**

**H.L. George Development/Group 295 c/o William Landry, Esq., 30 Exchange Terrace, Providence, RI -Request for extension of Special Use Permit decision granted in July 2004 for the construction of an Alzheimer's facility on Albion Road, Lincoln, RI.**

**AP 41, Lots 12/44/73 Zoned: BL 5**

**The Technical Review Committee reviewed the submitted application for an extension and recommends approval of this request.**

**Kiran Patel, 33 Russell Avenue, Attleboro, MA/Gail Boudreau, 3 Briar Hill Road, North Providence, RI - Special Use Permit for the manufacturing of epoxies, silicone and urethane at property located at 1 Industrial Circle, Lincoln, RI.**

**AP 1, Lot 167 Zoned: MG 05**

**No new plans or supplemental information was submitted to the Zoning Official; therefore, the TRC can not offer a recommendation on this special use application.**

**Jonathan Gastel, 75 Strathmore Street, Narragansett, RI - Dimensional Variance for rear and side yard setbacks for the**



**construction of a single-family residential home at 17 West Butterfly Way, Lincoln, RI.**

**AP 25, Lot 234 Zoned: RA 40**

**The Technical Review Committee recommends Approval of this application. The TRC reviewed the submitted site plans and visited the site and determined that the single residential lot contains several limiting natural features that severely restrict the placement of a house and utilities. The Committee finds that the applicant presents a realistic site layout that meets the intent of the zoning and would not be detrimental to the neighborhood.**

**Norman Beretta, 869 Smithfield Avenue, Lincoln, RI – Special Use Permit for the construction of seven condominium units on Central Street and Old Main Street, Manville, RI.**

**AP 37, Lot 279 Zoned: RG 7**

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Committee's greatest concern regarding this proposal is the functionality of the parking lot layout. The Committee could not determine if the parking lot could work for the proposed number of units. Therefore, the TRC could not offer a recommendation of this project. The TRC would like to see a more detailed site plan with dimensions of the parking area.**

**Margaret Reynolds, 122 Grandview Avenue, Lincoln, RI – Dimensional**

**Variance for side yard setback for the construction of a walkway from handicap ramp to deck at the rear of the residence.**

**AP 8, Lot 121 Zoned: RS 12**

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The TRC recommends approval of this application. A site visit indicated that this property has an extreme slope in the back yard and represents a unique situation for this property. Therefore, the TRC finds that the dimensional variance will not alter the general character of the surrounding area and will not impair the intent or purpose of the zoning ordinance, nor the Comprehensive Plan.**

**Friendship Realty Group RIGP, 10 Greene Street, Providence, RI – Dimensional Variance for front, side and rear yard setbacks for residential single family with customary home occupation use as real estate services office at 1011 Smithfield Avenue, Lincoln, RI.**

**AP 6, Lot 385 Zoned RG 7**

**The Technical Review Committee recommends approval of this application. This application represents existing conditions. The Planning Board finds that granting this application will not alter the general character of the surrounding area or impair the intent or purpose of the Lincoln Zoning Ordinance or the Lincoln Comprehensive Plan. Hardship for this application is due to the**

**unique characteristics of the subject land and structure due to the existence of the structure. The relief requested is the least relief necessary.**

**Friendship Realty Group RIGP, 10 Greene Street, Providence, RI – Dimensional Variance for the continued use of two legal non-conforming pre-existing multi-family apartment buildings at 1011 Smithfield Avenue, Lincoln, RI.**

**AP 6, Lots 196/384/386 Zoned: RG 7**

**The Technical Review Committee recommends approval of this application. This application represents existing conditions. The Planning Board finds that granting this application will not alter the general character of the surrounding area or impair the intent or purpose of the Lincoln Zoning Ordinance or the Lincoln Comprehensive Plan. Hardship for this application is due to the unique characteristics of the subject land and structures due to the existence of these structures. The relief requested is the least relief necessary.**

**Respectfully Submitted,**

**Albert V. Ranaldi, Jr. AICP**

**Albert V. Ranaldi, Jr. AICP**

**Administrative Officer to the Planning Board**